HON'BLE SRI JUSTICE GHULAM MOHAMMED

AND

HON'BLE SRI JUSTICE D.APPA RAO

WRIT PETITION No.24216 of 2007

ORDER: (Per Hon'ble Sri Justice Ghulam Mohammed)

This writ petition is filed challenging the order dated 01-08-2007 in I.A.No.1333 of 2006 in L.G.C.no.32 of 2006 on the file of Special Court constituted under A.P. Land Grabbing (Prohibition) Act, 1982 dismissing the said application.

The petitioner claims to be an ex-serviceman and served as Secretary of the Defence Housing Cooperative Society Limited, Sainikpuri, Secunderabad, for the period 03-09-2000 to 02-09-2005. The third respondent was the President of the society during the same period. The second respondent filed LGC No.32 of 2006 complaining that the petitioner herein and respondents 3 and 4 have sold plots to third parties who are not defence personnel in contravention of the bye-laws of the said Society and thus have grabbed land. The second respondent filed I.A.No1333 of 2006 seeking dismissal of LGC for want of jurisdiction.

W.P.No.17656 of 2007 has been preferred by the third respondent herein contending that the Special Court does not have jurisdiction to decide LGC No.32 of 2006. Today W.P.No.17656 of 2007 was allowed and the matter was remanded to the Special Court for fresh disposal according to law.

Following the order passed today in Writ Petition No.17656 of 2007 and for the reasons stated therein, this writ petition is allowed setting aside the impugned order with direction to the Special Court to decide afresh in the light of observations in the said order and in accordance with law after giving opportunity to both the parties.

The writ petition is accordingly allowed. No order as to costs.

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GHULAM MOHAMMED, J.

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D.APPA RAO, J.

22-11-2007

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